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Attorney Docket No.: PHO-104

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Eric A. Wachter, et al.

Serial No.: 09/096,832

Filed: June 12, 1998

For: IMPROVED METHODS AND  
APPARATUS FOR MULTI-PHOTON  
PHOTO-ACTIVATION OF  
THERAPEUTIC AGENTS

Examiner: Thomas C. Barrett

Art Unit: 3738

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)  
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) February 23, 2005

) (Date of Deposit)

) Shannon Wallace

) Name of applicant, assignee, or Registered Rep.

) Shannon Wallace 2/23/05

) Signature

) Date

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
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P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97, as revised on February 4, 1992, 1135 OG 23-24, Applicant hereby calls the Examiner's attention to documents listed on the attached forms, which documents may be material to the examination of this application. Copies of these references are enclosed herewith for the Examiner's consideration.

No inference should be drawn that the attached list sets forth a comprehensive investigation of prior art, that any or all are pertinent to the invention, or that any apparatus disclosed is equivalent to the subject invention.

The citation of the above-discussed is not to be construed as an assertion that more pertinent art could not possibly be in existence. Citation of any document herein is not to be construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicant also respectfully reserves the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

The enclosed references were brought to the Applicant's attention by the Examiner in an Office Action, mailed by the Office on January 31, 2005, concerning a related application, 09/571,099. Thus, the Applicant does not believe any fee is due. If it is determined that any additional fee is required for this Supplemental Information Disclosure Statement, please charge our Deposit Account No. 50/1039.

Respectfully submitted,

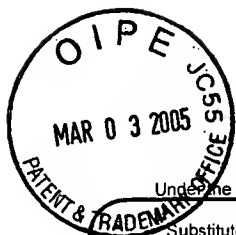
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

of 1

**Complete if Known**

Application Number	09/096,832
Filing Date	June 12, 1998
First Named Inventor	Eric A. Wachter
Art Unit	3738
Examiner Name	Thomas C. Barrett
Attorney Docket Number	PHO-104

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US- 5,912,257	06-15-1999	Prasad et al.	
		US- 5,898,720	04-27-1999	Yamamoto et al.	
		US- 5,815,262	09-29-1998	Schrof et al.	
		US- 5,759,767	06-02-1998	Lakowicz et al.	
		US- 5,689,519	11-18-1997	Fermann et al.	
		US- 5,674,743	10-07-1997	Ulmer	
		US- 5,674,698	10-07-1997	Zarling et al.	
		US- 5,523,573	06-04-1996	Hanninen et al.	
		US- 5,268,862	12-07-1993	Rentzepis	
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**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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